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XIV. Salary of paid appointments when filled by honorary medical officer :—

(1) Recognizing the limitation of the terms of reference of this Committee and without recommending any increase of expenditure, the Committee express the opinion that when an academic appointment is combined with honorary clinical work, the honorary medical officer holding these two appointments should receive a remuneration for the academic teaching.

(2) If an honorary medical officer be put in charge of a hospital or dispensary during the absence on leave of a Government medical officer, the honorary medical officer should be paid an honorarium not for professional work, but for the administration of Government affairs that he carries out during that period.

XV. *A special case.*—The Committee considers that graduates who have served as house-surgeons and house-physicians and have been selected or may be selected after the competitive examination for assistant surgeons in the year 1929 may be permitted to commence service in an honorary appointment in the grade of honorary assistant surgeon or physician.

C. A. Sprawson.
R. G. G. Croly.
A. L. Mudaliyar.
N. Venkataswami.
T. Krishna Menon.
T. Satakopan.
U. Rama Rao.
K. B. Bhujanga Rao.

Appendix VII.

[Vide Item III " A Bill to amend the Madras Elementary Education Act, 1920" at page 552 supra.]

BILL No. 24 OF 1931.

A Bill to amend the Madras Elementary Education Act, 1920.

To

The Honourable the LEGISLATIVE COUNCIL
of the GOVERNOR of MADRAS.

We, the undersigned members of the Select Committee appointed on the 30th of October 1931 to consider the Bill to amend the Madras Elementary Education Act, 1920 (Bill No. 24 of 1931), have the honour to submit the following report.

2. The Bill was published in the *Fort St. George Gazette* in English on the 20th October 1931.

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3. We met on the 1st November 1931 and considered in detail the provisions of the Bill.

4. In clause 6, we have provided in sub-section (2) of the proposed section 36, that, where an education tax is levied in a panchayat area, the cost of collection at a prescribed percentage of the amount collected, shall be credited to the village fund of the panchayat concerned, and the balance only shall be credited to the Education Fund of the taluk board concerned.

5. In regard to clause 10 of the Bill, we have discussed various alternatives but have come to the conclusion that the provision contained in the Bill is the most satisfactory that could be made from the point of view of all the interests concerned. We have therefore resolved to retain it. But we have deleted sub-section (3) of the proposed section 47, as we expect that the number of free places reserved in a school will be taken into consideration by the District Educational Council in fixing the amount of grant payable to that school and recommend that Government should make suitable rules to that effect.

6. We have deleted sub-clause (iv) of clause 13 as necessary provision already exists in the Madras District Municipalities Act, the Madras Local Boards Act and the Madras City Municipal Act. We have also deleted sub-clauses (vi) and (ix) of clause 13 and also clause 14 as unnecessary. We have made one or two other minor alterations in the Bill but do not consider it necessary to refer to them in detail.

7. We do not think it necessary to republish the Bill.

BASHEER AHMED SAYEED.
S. KUMARASWAMI.
M. G. PATNAIK.
* R. N. AROGYASWAMI MUDALIYAR.
R. M. PALAT.
C. S. RATNASABAPATHI.
B. MUNISWAMI NAYUDU.
R. MADANAGOPAL.
B. P. SESHA REDDI.
* S. VENKATACHALAM CHETTI.
* T. S. RAMASWAMI AYYAR.
F. E. JAMES.
* Dr. P. SUBBARAYAN.

* With a note.

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NOTE.

The amendment passed is in violation of the principle of free and compulsory education and throws a costlier responsibility on a local authority of providing more public schools in a compulsory area or withdraw compulsion. In any case, it seems to be a set-back to the scheme of free and compulsory elementary education in this presidency.

S. VENKATACHALAM CHETTI.

T. S. RAMASWAMI AYYAR.

R. N. AROGYASWAMI MUDALIYAR.

DR. P. SUBBARAYAN.

[NOTE.—Changes made by the Select Committee are printed in Clarendon type.]

BILL No. 24 OF 1931.

A Bill to amend the Madras Elementary Education Act, 1920, for certain purposes.

(As amended by the Select Committee.)

Madras Act VIII of 1920.

WHEREAS it is expedient to amend the Madras Elementary Education Act, 1920, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Madras Elementary Education (Amendment) Act, **1931.**

(2) It shall come into force on such day as the Local Government may, by notification in the *Fort St. George Gazette*, appoint.

Amendment of certain provisions of Madras Act VIII of 1920.

2. (1) In the Madras Elementary Education Act, 1920 (hereinafter referred to as the said Act), for the words " Goveror in Council " wherever they occur, the words " Local Goverment " shall be substituted.

(2) The provisions of the said Act specified in the first two columns of the annexed Schedule are hereby amended to the extent and in the manner specified in the third and fourth columns thereof.

Amendment of section 3, Madras Act VIII of 1920.

3. In section 3 of the said Act—

(i) for clause (ii), the following clause shall be substituted, namely :—

'Director of Public Instruction,' 'District Educational Officer' and 'Inspectress of Girls' Schools.'

" (ii) 'Director of Public Instruction', 'District Educational Officer', and 'Inspectress of Girls' Schools' mean such officer or officers as may be appointed

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by the Local Government to perform the duties of Director of Public Instruction, District Educational Officer or Inspectress of Girls' Schools, as the case may be."

(ii) in clause (iv), for the figures " 1884 ", the figures " 1920 " shall be substituted;

(iii) after clause (x), the following clauses shall be inserted, namely :—

'Notification.'

" (x-*a*) ' notification ' means notification in the *Fort St. George Gazette*;

'Panchayat.'

(x-*b*) ' panchayat ' means a panchayat constituted under the Madras Local Boards Act, 1920; "

(iv) in clause (xi), after the words " prescribed by " the words " this Act or by " shall be inserted;

(v) in clause (xii), the words " in relation to an elementary school " shall be omitted, and for the word " Government " the words " Local Government " shall be substituted; and

(vi) in clause (xiv), for the figures " 1884 " the figures " 1920 " shall be substituted.

Amendment of section 5, Madras Act VIII of 1920.

4. In sub-section (3) of section 5 of the said Act, for the words " inspector and asistant inspector of schools " the words " District Educational Officer " shall be substituted, and for the word " members " the words " a member " shall be substituted.

Insertion of new section 27-A in Madras Act VIII of 1920.

5. After section 27 of the said Act, the following section shall be inserted, namely :—

Acts of District Educational Councils, etc., not to be invalidated by informality, etc.

" 27-A. No act or proceeding of a district educational council or of a committee thereof or of any person acting as president, vice-president, chairman or member of such council or committee shall be deemed to be invalid by reason only of some defect in the establishment of such council or committee or on the ground that the president, vice-president, chairman or any member of such council or committee was not entitled to hold or continue in such office by reason of any disqualification or by reason of any irregularity or illegality in his election or appointment or by reason of such act having been done during the period of any vacancy in the office of the president, vice-president, chairman or member of such council or committee."

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Substitution of new section for section 36 of Madras Act VIII of 1920.

6. For section 36 of the said Act, the following section shall be substituted, namely :—

Assessment and realization of taxes.

" 36. (1) Every tax levied in any area under any head of taxation mentioned in section 34 shall be deemed to be an addition to a tax levied under the same head in such area under the law for the time being in force governing municipalities or local boards, as the case may be, and all the provisions of such law relating to the incidence, assessment or realization of such tax or in any manner connected therewith shall be applicable accordingly :

Provided that the Local Government may direct that the said provisions shall apply subject to such modifications and restrictions as may be prescribed.

(2) In particular, any such tax levied in a panchayat area under any head of taxation other than land-cess, shall be realized by the president of the panchayat as an addition to a tax levied under the same head under the Madras Local Boards Act, 1920. **Out of the proceeds of the tax so realized such percentage as may be prescribed shall be credited to the village fund of the Panchayat on account of the cost of collection and the balance** shall be paid to the credit of the Elementary Education Fund under the control of the taluk board concerned."

Amendment of section 40, Madras Act VIII of 1920

7. In section 40 of the said Act, for the figures " 1884 " the figures " 1920 " and for the word " chapter " at the end, the word " Act " shall be substituted.

Amendment of section 41, Madras Act VIII of 1920.

8. In sub-section (1) of section 41 of the said Act, after the words " such school " the words " or a department of such school " shall be inserted, and for the words " through the inspector of schools " the words " through the District Educational Officer or the Inspectress of Girls' Schools, as the case may be " shall be substituted.

Amendment of section 42, Madras Act VIII of 1920.

9. In sub-section (1) of section 42 of the said Act, for the words " through the Inspector of Schools " the words " through the District Educational Officer or the Inspectress of Girls' Schools as the case may be " shall be substituted.

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10. For section 47 of the said Act, the following sections shall be substituted, namely :—

Substitution of new section 47, Madras Act VIII of 1920.

" 47 (1) No fees shall be levied at any elementary school under public or panchayat management situated in any area affected by a notification under section 46, from any child to whom such notification applies.

No fee to be levied at elementary schools under public or panchayat management in areas notified under section 46.

(2) Fees may be levied from any such child at any other elementary school situated in the said area.

Provided that where within one mile of such school or such other distance therefrom as may be notified under the Explanation to sub-section (2) of section 45, there is no other elementary school at which fees are not levied, such number of free places as may be fixed by the District Educational Council **in consultation with the local authority concerned** shall be reserved in such school."

11. In section 49 of the said Act, after the words " every child of school-age resident in such area " the words " and affected by such notification " shall be inserted.

Amendment of section 49, Madras Act VIII of 1920.

12. In section 51 of the said Act, after the words " local authority concerned ", the words and figures " or where under the Madras Local Boards Act, 1920, the taluk board has ceased to be responsible for elementary education in any area, the panchayat concerned " shall be inserted.

Amendment of section 51, Madras Act VIII of 1920.

13. In sub-section (2) of section 5 of the said Act—

Amendment of section 56, Madras Act VIII of 1920.

(i) clause (*a*) shall be re-lettered as clause (*aa*) and the following shall be inserted as clause (*a*), namely :—

" (*a*) with reference to all matters expressly required or allowed by this Act to be prescribed ";

(ii) in clause (*b*), after the word " schools " the words " or departments of schools " shall be inserted, and after the word " elementary " at the end the word " schools " shall be added;

(iii) for clause (*c*), the following clause shall be substituted, namely :—

" (*c*) with reference to all matters not expressly provided for in this Act relating to the election of presidents, vice-presidents or members of district educational councils ";

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(iv) in clause (*f*), after the words "by local authorities" the words "by panchayats" shall be inserted, and after the words "attendance committees" at the end, the words "and the time within which any statement, report, return, budget or other information shall be furnished" shall be added;

(v) clause (i) shall be omitted; **and**

(vi) in clause (*j*), the word "school" shall be omitted.

The Schedule

Section (1)	Sub-section. (2)	For the words. (3)	Substitute the words. (4)
21 ...	...	his opinion ...	their opinion.
22 ...	(2) ...	he may fix ...	they may fix.
23 ...	...	he may direct ...	they may direct.
30	(2) ..	he thinks fit ...	they think fit.
38 ...	(2) ..	he thinks fit	they think fit.
45 .	(2) proviso (*b*).	is satisfied ...	are satisfied.
56 ...	(2) ...	he may make ...	they may make.